

REMARKS

Claims 1-21 are pending in the application. Claims 1-21 have been rejected.

Claim Rejections under 35 U.S.C. § 103

Claims 1-21 were rejected as being unpatentable over U.S. Patent 6,580,699 to Manning (hereinafter "Manning"). This rejection is respectfully traversed.

To establish a prima facie case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. "The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicants' disclosure." In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicants respectfully submit that a prima facie case of obviousness has not been established regarding claims 1-21 because the prior art cited does not teach or suggest all the claim limitations.

Manning does not teach or suggest all the limitations of claim 1. Specifically, Manning does not teach or suggest the limitation "transmitting from the mobile station to the second infrastructure element of the packet data services network a message including a number of dormant network connections associated with the mobile station and a list of identifiers associated with the dormant network connections." Manning is directed to methods for maintaining or establishing an R-P connection after a mobile station roams from the control of an old base station to that of a new base station. (Abstract). When a mobile station roams from one Radio Network (RN) to another a RN to PDSN connection (R-P connection) must be updated in order to maintain smooth communication between the RN and the PDSN. (Col. 1, lines 20-24). In one embodiment the mobile service center (MSC) or visitor's location register (VLR) stores packet data call status information including point to point protocol (PPP) session status information and configuration information about the base station controllers. (Col. 2, lines 1-5). Mobile stations must undergo a registration process. Once a location update request is received from the mobile station the MSC/VLR checks to see if the mobile station is in a PPP session and

if the mobile station is moving to a new base station but will remain within the same packet zone. (Col. 2, lines 7-11). If so, the R-P session can be switched over. The MSC/VLR informs the new base station and directs the new base station to establish the R-P connection with the PDSN. (Col. 2, lines 11-14). The mobile station may store the necessary information and may relay the information to a new base station. (Col. 2, lines 19-24). During an origination process the mobile may communicate directly with the new base station. The new base station may subsequently communicate with the MSC/VLR to obtain information about the old R-P connection. The new base station establishes a new traffic channel with the mobile station only if needed. The new base station also checks the PPP session status information and triggers the construction of a new R-P connection. Applicants respectfully submit that Manning does not teach the dormant mode as found in Applicants' claims. Rather, Manning refers to when the mobile is sleeping. Specifically, Manning states: "At step 90, the dormant mobile station has moved to the coverage area of the new base station and 'wakes up' and transmits an Origination Message over an access channel to the new base station to request a packet data service." (Col. 5, lines 54-56). This is not the same as the dormant state found in Applicants' specification at page 9, lines 4-14. PPP instances or other network connections become dormant when the mobile station moves to a new PDSN. Manning still requires that these dormant network connections be reestablished after moving to the new PDSN. Therefore, Manning does not teach or suggest "transmitting from the mobile station to the second infrastructure element of the packet data services network a message including a number of dormant network connections associated with the mobile station and a list of identifiers associated with the dormant network connections."

The Examiner stated the "In response to Applicant's argument that the references fail to show certain feature of Applicant's invention, it is noted that the feature upon which Applicant relies (i.e., a "dormant state", which is found in the Applicant's specification at page 9, lines 4-14) is not recited in the rejected claim(s)." Applicant respectfully disagrees. The phrase "dormant network connections" refers specifically to the network connections that have become dormant because of the move to a new PDSN. These "dormant connections" are in a "dormant state" until the connection is revived. Therefore, Applicant respectfully submits that the feature relied upon is found in the claims.

The Examiner also states that the phrase “transmitting from the mobile station a message. . .” leaves a doubt as to the scope of the subject matter of the claim. Applicant has amended claims 1, 6, 11, 16, and 21 to read “transmitting from the mobile station to the second infrastructure element of the packet data services network” to clarify the subject matter of the claim.

Claims 2-5 depend directly from claim 1 and contain additional limitations and should be allowable for the same reasons given above for claim 1.

Claim 6 contains the limitations found in claim 1 and should be allowable for the same reasons given above for claim 1.

Claims 7-10 depend directly from claim 6 and contain additional limitations and are allowable for the same reasons given above for claim 1.

Claim 11 contains the limitations found in claim 1 and should be allowable for the same reasons given above for claim 1.

Claims 12-15 depend directly from claim 11 and contain additional limitations and are therefore allowable for the same reasons as given above for claim 1.

Claim 16 contains the limitations found in claim 1 and should be allowable for the same reasons as given above for claim 1.

Claims 17-20 depend directly from claim 16 and contain additional limitations and are therefore allowable for the same reasons given above for claim 1.

Claim 21 contains the limitations found in claim 1 and should be allowable for the same reasons as given above for claim 1.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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